

P18888.P11



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Marco CAERAN

Serial No. : 09/537,176

Filed : March 29, 2000

For : SPORTS BOOT WITH FLEXIBLE FRAME

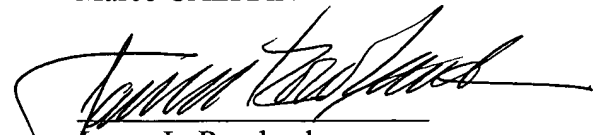
**CLAIM OF PRIORITY**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Applicant hereby claims the right of priority granted pursuant to 35 U.S.C. 119 based upon French Application No. 99 04297, filed March 30, 1999. As required by 37 C.F.R. 1.55, a certified copy of the French application has previously been filed on June 16, 2000.

Respectfully submitted,  
Marco CAERAN

  
James L. Rowland  
Reg. No. 32,674

January 22, 2002  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

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P18888.P02

# CONTINUATION PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.

P18888

First Named Inventor

Marco CAERAN

Total Pages

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/537,176, filed on March 29, 2000, entitled SPORTS BOOT WITH FLEXIBLE FRAME.

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☒ Enter the unentered amendment previously filed on December 20, 2001 under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☒ Claim of Priority
4. ☒ Applicants are the same as in the previous application.
5. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
6. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
7. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

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740.00 OP  
108.00 OP  
84.00 OP02 FC:131  
03 FC:103  
04 FC:102

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	26 -20 =	6	x\$ <u>18.00</u> =	\$ 108.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	4 -3 =	1	x\$ <u>84.00</u> =	\$ 84.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+\$ <u>280.00</u> =	\$ 0.00
	EXTENSION OF TIME			\$	\$ 110.00
				BASIC FEE (37 CFR 1.16(a))	\$ 740.00
				Total of above Calculations =	\$ 932.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00
				TOTAL =	\$ 1,042.00

8. ☐ Small entity status:
- a. ☐ A small entity statement is enclosed.
- b. ☐ Is no longer claimed.
- c. ☐ Applicant claims small entity status. See 37 CFR 1.27.
9. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 19-0089:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3)).
- c. ☐ Fees required under 37 CFR 1.18.
10. ☒ A check in the amount of \$ 1,042.00 is enclosed.
11. ☐ Payment by credit card. Form PTO-2038 is attached.
12. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(i) enclosed).
13. ☐ New Attorney Docket Number, if desired \_\_\_\_\_  
*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*
14. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
15. ☒ Assignee: SALOMON S.A., of Metz-Tessy, France
16. ☒ Figure of Drawing to be published: Figure 1
17. ☒ Other: Request for Extension of Time

Address all future correspondence to **Customer No. 7055** at the present address of:

GREENBLUM & BERNSTEIN, P.L.C.  
 1941 Roland Clarke Place  
 Reston, VA 20191  
 (703) 716-1191

January 22, 2002  
 Date

  
 Signature  
 James L. Rowland, Reg. No. 32,674  
 Typed or Printed Name